

A DECLARATORY RESOLUTION designating an
"Economic Revitalization Area" under I.C. 6-
1.1-12.1 for property commonly known as 2801
Covington Road, Fort Wayne, Indiana 46802.
(Kelly Box and Packaging Corporation)

WHEREAS, Petitioner has duly filed its petition dated July
15, 1993 to have the following described property designated and
declared an "Economic Revitalization Area" under Division 6,
Article II, Chapter 2 of the Municipal Code of the City of Fort
Wayne, Indiana, of 1974, as amended, and I.C. 6-1.2-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein;

and

WHEREAS, said project will create 7 permanent jobs for a
total additional annual payroll of \$96,000, with the average new
annual job salary being \$13,714; and

WHEREAS, the total estimated project cost is \$650,000

WHEREAS, it appears the said petition should be processed to
final determination in accordance with the provisions of said
Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6,
below, the property hereinabove described is hereby designated
and declared an "Economic Revitalization Area" under I.C. 6-1.1-
12.1. Said designation shall begin on the effective date of the
Confirming Resolution referred to in Section 6 of this Resolution
and shall continue for one (1) year(s) thereafter. Said
designation shall terminate at the end of that one (1) year
period.

SECTION 2. That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County
Assessor;

1 (b) Said Resolution shall be referred to the Committee on
2 Finance and shall also be referred to the Department of
3 Economic Development requesting a recommendation from
4 said department concerning the advisability of
5 designating the above designated area an "Economic
6 Revitalization Area";

7 (c) Common Council shall publish notice in accordance with
8 I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and
9 substance of this resolution and setting this
10 designation as an "Economic Revitalization Area" for
11 public hearing;

12 (d) If this Resolution involves an area that has already
13 been designated an allocation area under I.C. 36-7-14-
14 39, then the Resolution shall be referred to the Fort
15 Wayne Redevelopment Commission and said designation as
16 an "Economic Revitalization Area" shall not be finally
17 approved unless said Commission adopts a Resolution
18 approving the petition.

19 **SECTION 3.** That, said designation of the hereinabove
20 described property as an "Economic Revitalization Area" shall
21 apply to a deduction of the assessed value of real estate.

22 **SECTION 4.** That, the estimate of the number of individuals
23 that will be employed or whose employment will be retained and
24 the estimate of the annual salaries of those individuals and the
25 estimate of the value of redevelopment or rehabilitation, all
26 contained in Petitioner's Statement of Benefits, are reasonable
27 and are benefits that can be reasonably expected to result from
28 the proposed described redevelopment or rehabilitation.

29 **SECTION 5.** That, the current year approximate tax rates for
30 taxing units within the City would be:

31 (a) If the proposed development does not occur, the
32 approximate current year tax rates for this site would
be \$8.8353/\$100.

1 (b) If the proposed development does occur and no deduction
2 is granted, the approximate current year tax rate for
3 the site would be \$8.8353/\$100 (the change would be
negligible).

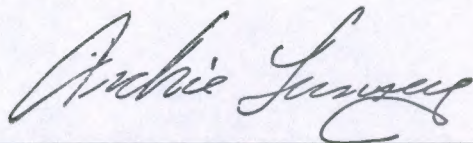
4 (c) If the proposed development occurs and a deduction
5 percentage of fifty percent (50%) is assumed, the
6 approximate current year tax rate for the site would be
7 \$8.8353/\$100 (the change would be negligible).

8 **SECTION 6.** That, this Resolution shall be subject to being
9 confirmed, modified and confirmed, or rescinded after public
10 hearing and receipt by Common Council of the above described
11 recommendations and resolution, if applicable.

12 **SECTION 7.** Pursuant to I.C. 6-1.1-12.1, it is hereby
13 determined that the deduction from the assessed value of the real
14 property shall be for a period of ten (10) years.

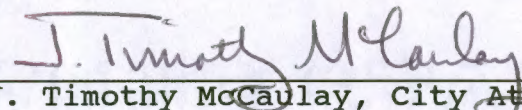
15 **SECTION 8.** That, the benefits described in the Petitioner's
16 Statement of Benefits can be reasonably expected to result from
17 the project and are sufficient to justify the applicable
18 deductions.

19 **SECTION 9.** That, this Resolution shall be in full force and
20 effect from and after its passage and any and all necessary
21 approval by the Mayor.

22
23 
24

25 Member of Council

26
27 APPROVED AS TO FORM AND LEGALITY

28
29 
30 J. Timothy McCauley, City Attorney
31
32

CERTIFICATE OF SURVEY

OFFICE OF:

DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA
FRANCIS X. MUELLER P.L.S. No. SO193 INDIANA
GREGORY L. ROBERTS P.L.S. No. SO548 INDIANA
FORT WAYNE, INDIANA

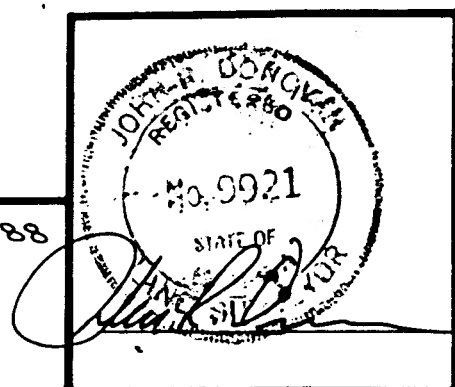
The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of that part of the North 857.3 feet of the Northeast Quarter of Section 16, Township 30 North, Range 12 East, Allen County, Indiana, lying Westerly of a line parallel to and 90 feet (measured at right angles) distant Northwesterly from the centerline of the Lake Erie and Western Railroad, more particularly described as follows, to-wit:

Beginning on the North line of said Northeast Quarter, at a point situated 945.51 feet East of the Northwest corner thereof; thence East, on and along said North line, being also the centerline of Covington Road (formerly Miller Road), a distance of 289.8 feet to the point of intersection of said North line with the Northerly projection of the West line of a 1.30 acre tract described in a deed appearing at Document #76-01464 in the Office of the Recorder of Allen County, Indiana; thence South, by an interior angle of 90 degr. 00 min., on and along said Northerly projection and said West line, a distance of 491.4 feet to the Westerly right-of-way line of said Lake Erie and Western Railroad; thence Southwesterly, by a deflection angle right of 26 degr. 59 min., on and along said Westerly right-of-way line, being a line situated 90.0 feet (measured at right angles) Northwesterly of and parallel to the centerline of said railroad, a distance of 410.5 feet to a point situated 857.3 feet South of said North line; thence West, by a deflection angle right of 63 degr. 01 min. and parallel to said North line, a distance of 91.0 feet to a point situated 945.51 feet West of the West line of said Northeast Quarter; thence Northerly, by an interior angle of 90 degr. 50 min. and parallel to said West line, a distance of 857.3 feet to the point of beginning, containing 4.797 acres of land, subject to legal right-of-way for Covington Road.

JOB FOR: KELLY BOX AND PACKAGING 10-7-88
CORP.-



Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Lunsey, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY				<u>✓</u>
EDMONDS	<u>✓</u>			
GiaQUINTA				<u>✓</u>
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 8-10-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-43-93 on the 10th day of August, 1993

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of August, 1993, at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

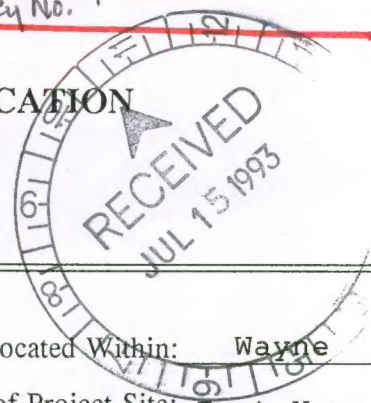
Approved and signed by me this 11th day of August, 1993, at the hour of 11:20 o'clock P M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

ECONOMIC REVITALIZATION AREA APPLICATION
CITY OF FORT WAYNE, INDIANA

Key No.:

Zoning 11-2



APPLICATION IS FOR:

(Check one below)

Township Project is Located Within: Wayne

Taxing District of Project Site: Fort Wayne

☒ Real Estate Improvements

Total Cost of Improvements: \$650,000.00

☐ Personal Property (New Manufacturing Equipment)

Total Cost of Improvements: _____

☐ Both Real Estate Improvement & Personal Property

Total Cost of Improvements: \$650,000.00

GENERAL INFORMATION:

Applicant's Name: Kelly Box & Packaging Corporation

Applicant's Phone Number: (219) 432-4570

Name of Applicant's Business: Kelly Box & Packaging Corporation

Address of Applicant: 2801 Covington Road, Fort Wayne, IN 46802

Address of Property to be Designated: Same

Name of Business to be Designated, if applicable: N/A

If additional information is required, list contact person:

Name: Thomas J. Kelly, Jr.

Phone Number: Same

Address: Same

☐ Yes ☒ No Do you plan to request state or local assistance to finance public improvements?

☐ Yes ☒ No Will the proposed project have any adverse environmental impact?

Describe: _____

What is the nature of the business to be conducted at the project site?

Manufacture of corrugated cartons, pads, and inner packaging.

In order to be considered an Economic Revitalization Area, Indiana Law requires that the area be undesirable of normal development. What evidence can be provided that the property on which the project is located has become undesirable for, or impossible of, normal development and occupancy because of age, lack of development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property or is an area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues?

This is in an older section of the city, which has had little or no development for the last twenty-five years or more. Our project would
lend value to the area and possibly promote additional projects
which would add to industrial growth and employment in the area.

REAL ESTATE ABATEMENT

Complete this section of the application only if requesting a deduction from assessed value for real estate improvements.

Describe any structure(s) that is/are currently on the property: None

Describe the condition of the structure(s) listed above? N/A

Current Land Assessment: \$14,000.00

Current Improvements Assessment: \$137,130.00

Current Total Real Estate Assessment: \$151,130.00

Most recent annual property tax bill on property to be designated: [REDACTED]

Describe improvements to be made to property to be designated: 31,000 sq. ft. addition to present building - adding loading, production, and storage facilities.

What is the anticipated first year tax savings attributable to this designation? \$ 20,000.00

How will you use these tax savings: Will be used to purchase additional equipment which will serve to improve our production capabilities and create additional sales.

PERSONAL PROPERTY ABATEMENT

Complete this section of the application only if you are requesting a deduction from assessed value for installation of new manufacturing equipment.

Describe the new manufacturing equipment to be installed at the project site: [REDACTED]

Cost of new manufacturing equipment: _____ Cost of installation of equipment: _____

Start and Stop Dates for equipment purchase: _____

Start and Stop Dates for equipment installation: _____

Current Personal Property Assessment: _____

Most recent annual personal property tax bill: _____

What is the anticipated first year tax savings attributable to this designation? _____

How will you use these tax savings? _____

PUBLIC BENEFIT INFORMATION

How many permanent full-time employees are currently employed by the applicant in Fort Wayne? 58

How many permanent full-time jobs will be created in Fort Wayne as a result of this project? 7

How many permanent part-time employees are currently employed by the applicant in Fort Wayne? N/A

How many permanent part-time jobs will be created in Fort Wayne as a result of this project? N/A

When do you anticipate reaching the above levels of employment? 8 months

Current annual area payroll: \$ 934,000.00

Additional annual area payroll as a result of this project: \$ 100,000.00 (7 = 14,286)

What types of jobs will be created as a result of this project? Sales Clerk, machine operators and general labor.

Annual salaries of jobs to be created from this project? High \$ 20,000 Low \$ 13,000 Average \$ 15,000



STATEMENT OF BENEFITS

State Form 27167 (R3 / 11-91)

Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

The records in this series are CONFIDENTIAL according to IC 6-1.1-35-9

FORM
SB - 1

INSTRUCTIONS:

1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment, or BEFORE the redevelopment or rehabilitation of real property which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation or prior to installation of the new manufacturing equipment, BEFORE a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment is installed, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
4. Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)

SECTION 1

TAXPAYER INFORMATION

Name of taxpayer

Kelly Box & Packaging Corporation

Address of taxpayer (street and number, city, state and ZIP code)

2801 Covington Road, Fort Wayne, IN 46802

Name of contact person

Thomas J. Kelly, Jr.

Telephone number

(219) 432-4570

SECTION 2

LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body

Kelly Box & Packaging Corporation

Resolution number

Location of property

2801 Covington Road

County

Allen

Taxing district

94 Ft. Wayne-Wayne

Description of real property improvements and / or new (manufacturing equipment to be acquired (use additional sheets if necessary)

31,000 sq. ft. Addition to present building at 2801 Covington Rd.

W5A of N 6.2A W of RR NE 1/4 SEC 16.

Estimated starting date

8/1/93

Estimated completion date

1/1/94

SECTION 3

ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number
58

Salaries

\$75,000/mo

Number retained
58

Salaries

\$75,000/mo

Number additional
7

Salaries

\$8,000/mo

100,000.00

SECTION 4

ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	Real Estate Improvements		Machinery	
	Cost	Assessed Value	Cost	Assessed Value
Current values	\$350,000.00	151,130.00		
Plus estimated values of proposed project	\$650,000.00	\$216,600.00		
Less values of any property being replaced				
Net estimated values upon completion of project	\$1,000,000.00	\$367,730.00		

SECTION 5

OTHER BENEFITS PROMISED BY THE TAXPAYER

Development of a depressed section of the city - adding value to that section.

SECTION 6

TAXPAYER CERTIFICATION

Signature of authorized representative

Thomas J. Kelly, Jr.

I hereby certify that the representations in this statement are true.

Title

General Mgr.
Sec'y-Treas.

Date signed (month, day, year)

07/14/93

FOUR SECTORED DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; ☐ Yes ☐ No
 2. Installation of new manufacturing equipment; ☐ Yes ☐ No
 3. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of deduction applicable for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1987, is limited to \$ _____ cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to redevelopment or rehabilitation in an area designated after September 1, 1988 is limited to \$ _____ cost with an assessed value of \$ _____.
- E. Other limitations or conditions (specify) _____
- F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991 is allowed for:
- ☐ 5 years ☐ 10 years

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member)

Telephone number

Date signed (month, day, year)

Attested by

Designated body

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5 Namely: (see tables below)

NEW MANUFACTURING EQUIPMENT

For Deductions Allowed Over A Period Of

Year of Deduction	Five (5) Year Percentage	Ten (10) Year Percentage
1st	100%	100%
2nd	95%	95%
3rd	80%	90%
4th	65%	85%
5th	50%	80%
6th		70%
7th		55%
8th		40%
9th		30%
10th		25%

REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT

For Deductions Allowed Over A Period Of

Year of Deduction	Three (3) Year Deduction	Six (6) Year Deduction	Ten (10) Year Deduction
1st	100%	100%	100%
2nd	66%	85%	95%
3rd	33%	66%	80%
4th		50%	65%
5th		34%	50%
6th		17%	40%
7th			30%
8th			20%
9th			10%
10th			5%

Check the boxes below if the jobs to be created will provide the listed benefits:

- ☒ Pension Plan
- ☐ Tuition Reimbursement
- ☒ Major Medical Plan
- ☒ Life Insurance
- ☒ Disability Insurance

List any benefits not mentioned above:

Will your company use any of the following employment and training agencies to recruit/train new employees?

- ☐ Anthony Wayne Services
- ☐ Benito Juarez Center
- ☐ Catholic Charities of Fort Wayne
- ☐ Community Action of Northeast Indiana, Inc.
- ☐ Fort Wayne Rescue Mission
- ☐ Fort Wayne Urban League, Inc.
- ☐ Fort Wayne Womens Bureau
- ☐ Indiana Department of Commerce
- ☐ Indiana Department of Public Welfare
- ☒ Indiana Dept of Employment & Training Services
- ☐ Indiana Institute of Technology
- ☐ Indiana Purdue University at Fort Wayne
- ☐ Indiana Vocational Rehabilitation Services
- ☐ IVY Tech
- ☐ JobWorks
- ☐ Lutheran Social Services, Inc.
- ☐ Wayne Township Trustee

EXHIBITS

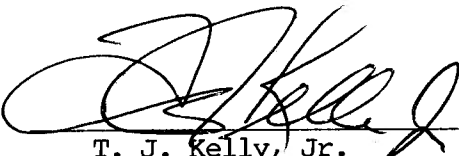
The following exhibits must be attached to the application.

1. Full legal description of property. (Property tax bill legal descriptions are not sufficient.)
2. ~~Check for application fee made payable to the City of Fort Wayne.~~
*See copy of corporate deed attached.

<u>Project Cost</u>	<u>Fee</u>
\$0 to 250,000	\$ 500
\$250,001 to 1,000,000	\$ <u>700 X</u>
\$1,000,001 and over	\$1,000

3. Owner's Certificate (if applicant is not the owner of property to be designated).

I hereby certify that the information and representation on this application and attached exhibits are true and complete and that no building permit has been issued for construction of improvements, nor has any manufacturing equipment which is a part of this application been purchased and installed as of the date of filing of this application.



T. J. Kelly, Jr.
Signature of Applicant

7/14/93

Date



MEMORANDUM

Q-93-08-02

TO: Common Council Members

FROM: Karen A. Lee *K.A. Lee*
Business Development Specialist, Department of Economic Development

DATE: August 5, 1993

SUBJECT: Real Property Tax Abatement Application dated July 15, 1993 for Kelly Box and Packaging Corporation
Address: 2801 Covington Road, Fort Wayne, Indiana 46802

Background

Description of Product or Service Provided by Company: Kelly Box and Packaging Corporation is a manufacturer of corrugated cartons, pads, and inner packaging.

Description of Project: Kelly Box would like to construct a 31,000 square foot addition to the existing structure which would add loading, production, and storage facilities.

Average Annual Wage:	\$13,714	Total Project Cost:	\$650,000.00
Number of Full Time Jobs to be Created:	7	Councilmanic District:	4th
Number of Part Time Jobs to be Created:	0	Existing Zoning of Site:	M-2

Project is Located Within a:

Designated Downtown Area:	Yes__ No_x_	Redevelopment Area:	Yes__ No_x_
Urban Enterprise Area:	Yes__ No_x_	Platted Industrial Park:	Yes__ No_x_

Effect of Passage of Tax Abatement

Will allow for the creation of seven new permanent full-time jobs.

Effect of Non-Passage of Tax Abatement

Project will not be able to take place, resulting in 7 jobs not being created.

Staff Recommendation

Per the established policy of the Department of Economic Development, the following recommendations are made:

1. Designation as an "Economic Revitalization Area" should be granted.
2. Designation should be limited to a term of one year.
3. The period of deduction should be limited to ten years.

Signed: Karen A. Lee Title Business Development Specialist

Comments

DIRECTOR: Elizabeth A. Han

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Declaratory Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE Kelly Box and Packaging Corporation is requesting a tax abatement to enable them to construct a 31,000 square foot addition to the existing structure which will include loading, production, and storage facilities.

EFFECT OF PASSAGE Will allow for the creation of 7 new full-time jobs.

EFFECT OF NON-PASSAGE Project will not take place, resulting in 7 jobs not being created.

INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

_____ ASSIGNED

TO COMMITTEE (PRESIDENT) Donald J. Schmidt

BILL NO. R-93-08-02

REPORT OF THE COMMITTEE ON
FINANCE

ARCHIE L. LUNSEY & DONALD J. SCHMIDT - CO-CHAIRPERSONS
HENRY, EDMONDS, LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) designating an
"Economic Revitalization Area" (Kelly Box and Packaging Corporation)

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (RESOLUTION) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Archie Lunsey
Donald J. Schmidt
Henry Edmonds
Donald Long

DATED: 8-10-93

Sandra E. Kennedy
City Clerk